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2 District of Nevada
Nevada Bar Number 13644
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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 \$158,677.17 in United States Currency;
14 \$761,515.36 in United States Currency; and
\$844,586.92 in United States Currency,

15 Defendants.

2:12-CV-2125-JAD-VCF
2:12-CV-2126-JAD-VCF
2:12-CV-2127-JAD-VCF

**Stipulation for Entry of Judgment of
Forfeiture as to Yakov “Jacob” Hefetz and
Order**

ECF No. 46

16 The United States and Yakov “Jacob” Hefetz and his counsel, H. Stan Johnson,
17 agree as follows:

18 1. This case is a civil forfeiture action seeking to forfeit \$158,677.17, \$761,515.36,
19 and \$844,586.92 under 18 U.S.C. § 981(a)(1)(A) and 981(a)(1)(C).

20 2. Yakov “Jacob” Hefetz knowingly and voluntarily agrees to the civil judicial
21 forfeiture of the \$158,677.17, \$761,515.36, and \$844,586.92.

22 3. Yakov “Jacob” Hefetz knowingly and voluntarily agrees to forfeit the
23 \$158,677.17, \$761,515.36, and \$844,586.92 to the United States.

24 4. Yakov “Jacob” Hefetz knowingly and voluntarily agrees to relinquish all
25 possessory rights, ownership rights, and all rights, titles, and interests in the \$158,677.17,
26 \$761,515.36, and \$844,586.92.

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1 5. Yakov “Jacob” Hefetz knowingly and voluntarily agrees to waive his right to any
2 civil judicial forfeiture proceedings (proceedings) concerning the \$158,677.17, \$761,515.36,
3 and \$844,586.92.

4 6. Yakov “Jacob” Hefetz knowingly and voluntarily agrees to waive service of
5 process of any and all documents filed in this action or any proceedings concerning the
6 \$158,677.17, \$761,515.36, and \$844,586.92 arising from the facts and circumstances of this
7 case.

8 7. Yakov “Jacob” Hefetz knowingly and voluntarily agrees to waive any further
9 notice to him, his agents, or his attorney regarding the forfeiture and disposition of the
10 \$158,677.17, \$761,515.36, and \$844,586.92.

11 8. Yakov “Jacob” Hefetz knowingly and voluntarily agrees not to file any claim,
12 answer, petition, or other documents in any proceedings concerning the \$158,677.17,
13 \$761,515.36, and \$844,586.92.

14 9. Yakov “Jacob” Hefetz knowingly and voluntarily agrees to withdraw any claims,
15 answers, counterclaims, petitions, or other documents he filed in any proceedings
16 concerning the \$158,677.17, \$761,515.36, and \$844,586.92.

17 10. Yakov “Jacob” Hefetz knowingly and voluntarily agrees to waive the statute of
18 limitations, the CAFRA requirements, Supplemental Rules for Admiralty or Maritime
19 Claims and Asset Forfeiture Actions A, C, E, and G, 18 U.S.C. § 983, the constitutional
20 requirements, and the constitutional due process requirements of any forfeiture proceedings
21 concerning the \$158,677.17, \$761,515.36, and \$844,586.92 .

22 11. Yakov “Jacob” Hefetz knowingly and voluntarily agrees to waive his right to a
23 trial on the forfeiture of the \$158,677.17, \$761,515.36, and \$844,586.92.

24 12. Yakov “Jacob” Hefetz knowingly and voluntarily agrees to waive (a) all
25 constitutional, legal, and equitable defenses to, (b) any constitutional or statutory double
26 jeopardy defense or claim concerning, and (c) any claim or defense under the Eighth
27 Amendment to the United States Constitution, including, but not limited to, any claim or

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1 defense of excessive fines or cruel and unusual punishments in any proceedings concerning
2 the \$158,677.17, \$761,515.36, and \$844,586.92.

3 13. Yakov "Jacob" Hefetz knowingly and voluntarily agrees to the entry of a
4 Judgment of Forfeiture of the \$158,677.17, \$761,515.36, and \$844,586.92 to the United
5 States.

6 14. Yakov "Jacob" Hefetz Waives the right to appeal any Order of Forfeiture.

7 15. Yakov "Jacob" Hefetz understands that the forfeiture of the \$158,677.17,
8 \$761,515.36, and \$844,586.92 shall not be treated as satisfaction of any assessment,
9 restitution, fine, cost of imprisonment, or any other penalty.

10 16. Yakov "Jacob" Hefetz knowingly and voluntarily agrees to the conditions set
11 forth in this Stipulation for Entry of Judgment of Forfeiture as to Yakov "Jacob" Hefetz
12 and Order (Stipulation).

13 17. Yakov "Jacob" Hefetz knowingly and voluntarily agrees to hold harmless the
14 United States, the United States Department of Justice, the United States Attorney's Office
15 for the District of Nevada, the Internal Revenue Service, the Department of the United
16 States Treasury, their agencies, their agents, and their employees from any claim made by
17 Yakov "Jacob" Hefetz or any third party arising out of the facts and circumstances of this
18 case.

19 18. Yakov "Jacob" Hefetz knowingly and voluntarily releases and forever
20 discharges the United States, the United States Department of Justice, the United States
21 Attorney's Office for the District of Nevada, the Internal Revenue Service, the Department
22 of the United States Treasury, their agencies, their agents, and their employees from any
23 and all claims, rights, or causes of action of any kind that Yakov "Jacob" Hefetz now has
24 or may hereafter have on account of, or in any way growing out of, the seizures and the
25 forfeitures of the property in the civil judicial forfeiture.

26 19. Each party acknowledges and warrants that its execution of the Stipulation is
27 free and is voluntary.

28 20. The Stipulation contains the entire agreement between the parties.

1 21. Except as expressly stated in the Stipulation, no party, officer, agent, employee,
2 representative, or attorney has made any statement or representation to any other party,
3 person, or entity regarding any fact relied upon in entering into the Stipulation, and no
4 party, officer, agent, employee, representative, or attorney relies on such statement or
5 representation in executing the Stipulation.

6 22. The persons signing the Stipulation warrant and represent that they have full
7 authority to execute the Stipulation and to bind the persons and/or entities, on whose
8 behalf they are signing, to the terms of the Stipulation.

9 23. This Stipulation shall be construed and interpreted according to federal
10 forfeiture law and federal common law. The jurisdiction and the venue for any dispute
11 related to, and/or arising from, this Stipulation is the unofficial Southern Division of the
12 United States District Court for the District of Nevada, located in Las Vegas, Nevada.

13 24. Each party shall bear his or its own attorneys' fees, expenses, costs, and interest.

14 25. This Stipulation shall not be construed more strictly against one party than
15 against the other merely by virtue of the fact that it may have been prepared primarily by
16 counsel for one of the parties; it being recognized that both parties have contributed
17 substantially and materially to the preparation of this Stipulation.

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1 IT IS HEREBY CERTIFIED, pursuant to 28 U.S.C. § 2465(a)(2), that there was
2 reasonable cause for the seizure and forfeiture of the \$158,677.17, \$761,515.36, and
3 \$844,586.92.

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5 DATED: 3-3-2020

6 COHEN, JOHNSON, PARKER,
7 EDWARDS

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9 H. STAN JOHNSON
Counsel for Yakov "Jacob" Hefetz

10 DATED: 3-3-2020

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12 YAKOV "JACOB" HEFETZ
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DATED: _____

NICHOLAS A. TRUTANICH
United States Attorney

DANIEL D. HOLLINGSWORTH
Assistant United States Attorney

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4
5 DATED: _____

DATED: March 4, 2020

6 COHEN, JOHNSON, PARKER,
7 EDWARDS

NICHOLAS A. TRUTANICH
United States Attorney

8
9 H. STAN JOHNSON
Counsel for Yakov "Jacob" Hefetz

/s/ Daniel D. Hollingsworth
DANIEL D. HOLLINGSWORTH
Assistant United States Attorney

10 DATED: _____

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13 YAKOV "JACOB" HEFETZ

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15 **IT IS SO ORDERED. IT IS FURTHER ORDERED that the Government has until**
16 **3/23/2020 to advise the court whether this action may be closed and, if not,**
17 **what remains to be resolved.**

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19 
UNITED STATES DISTRICT JUDGE

20 DATED: 3-13-2020